



1635  
Jfw

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/994,412
	Filing Date	November 27, 2001
	First Named Inventor	Ulrich Certa
	Art Unit	1635
	Examiner Name	Karen A. Lacourciere
Total Number of Pages in This Submission	Attorney Docket Number	20787 US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<b>Remarks</b>	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<b>Cited References</b> <b>First Notice of Reasons for Rejection</b>	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Brian C. Remy
Signature	<i>Brian C. Remy</i> Reg. No.: 48,176
Date	July 27, 2004

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Brian C. Remy
Signature	<i>Brian Remy</i>
Date	July 27, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 422 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor(s): Ulrich Certa et al.

Group: 1635

Serial No. 09/994,412, filed November 27, 2001  
(Reference No. 20787 US)

Examiner: Karen A. Lacourciere

For: **INHIBITION OF EXPRESSION OF A TARGET GENE**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Nutley, New Jersey 07110

Date: July 27, 2004

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants respectfully direct the Examiner's attention to the documents listed on enclosed Form PTO-1449.

Documents B6 and C5 listed on Form PTO-1449 are enclosed.

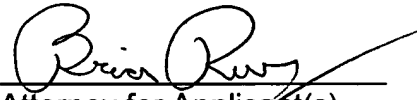
Enclosed is a First Notice of Reasons for Rejection, dated May 19, 2004, which was issued by the Japanese Patent Office in the corresponding application. The First Notice of Reasons lists Documents B3, B6 and C5. Document B3 is not enclosed since it has previously been submitted in Applicant's Information Disclosure Statement mailed August 21, 2002.

Consideration of all the documents cited on Form PTO-1449 is requested.

Serial No. 09/994,412  
Filed: November 27, 2001

Since the Information Disclosure Statement is submitted after the first Office Action on the merits and after three months of the filing date for the captioned application, there is enclosed a Certificate under 37 C.F.R. § 1.97(e)].

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Brian Remy", is written over a horizontal line.

Attorney for Applicant(s)  
Brian C. Remy  
(Reg. No. 48176)  
340 Kingsland Street  
Nutley, New Jersey 07110  
Telephone: (973) 235-6516  
Telefax: (973) 235-2363

144305



PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventors: Ulrich Certa et al

Group: 1635

Serial No. 09/994,412, filed November 27, 2001  
(Reference No. 20787 US)

Examiner: Karen A. Lacourciere

For: **INHIBITION OF EXPRESSION OF A TARGET GENE**

**STATEMENT UNDER 37 CFR §1.97(e)**

Nutley, New Jersey 07110

Date *July 27, 2004*

Mail Stop: Amendments  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify:

X That each item of information contained in the enclosed information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this information disclosure statement.

— That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement.

Respectfully submitted,

Attorney for Applicant(s)

Brian C. Remy

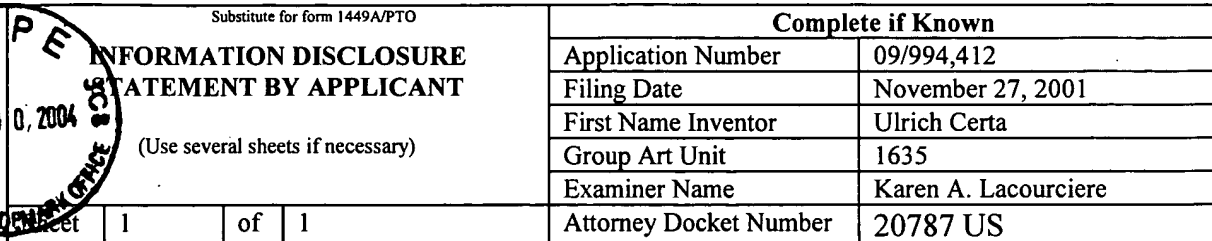
(Reg. No. 48176)

340 Kingsland Street

Nutley, NJ 07110

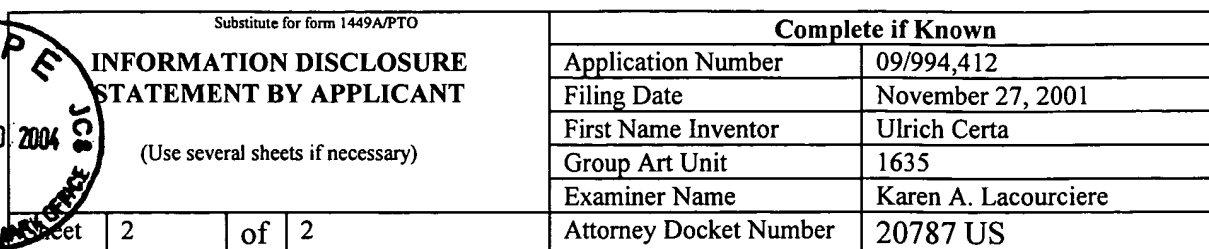
Telephone: (973) 235-6516

Telefax: (973) 235-2363

[illegible]

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T <sup>2</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
	B6	WO 95/07994			VIAGENE, INC.	03-23-1995	
Examiner Signature		Date Considered					

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation or abstract is attached.

[illegible]

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation or abstract is attached.

144304